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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/398,624 | 09/17/1999 | JAMES B. KELLER | 5500-46200 | 1320 |

7590 02/09/2004
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EXAMINER

WAXMAN, ANDREW

ART UNIT PAPER NUMBER

2667

DATE MAILED: 02/09/2004

19

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 31 October 2003 has been entered.

Response to Arguments

Applicant's arguments, see Paper Number 16, filed 31 October 2003, with respect to claims 1, 3 – 12, 14 – 17, 19, 21 – 26, and 28 – 31 have been fully considered and are persuasive. The rejections of claims 1, 3 – 12, 14 – 17, 19, 21 – 26, and 28 – 31 have been withdrawn.

Allowable Subject Matter

Claims 1, 3 – 12, 14 – 17, 19, 21 – 26, and 28 – 31 are allowed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 36 – 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Birrittella et al. (US 5,797,035) in view of Scott et al. (US 5,748,900), hereinafter referred to as Birrittella and Scott respectively.

Regarding claim 36 – 48, Birrittella discloses a system including nodes (Fig. 6) configured to transmit and receive packets (see col. 6 lines 55-61 and col. 10 lines 47-50). The node also includes a plurality of control ('request' see col. 6 lines 55-61) and response virtual channels assigned to transmit and receive a variety of control (request) and response signals (see col. 9 lines 45-63), and each of which is assigned a packet buffer (Fig. 14). Birrittella further discloses the response packet being a response to a first control ('request') packet (see col 6. lines 55-67).

Birrittella does not disclose response packets being stored in response buffers independent of which virtual channel the packet belongs, a first command packet being a read request and a second being a write request, and the response packet specifying a data packet also transmitted on the virtual channel.

Scott discloses storing response packets in a response buffer independent of which virtual channel the packet belongs (see col. 8 lines 9-17), a first command packet being a read request (VC0) and a second being a write request (VC1) (see col. 7 lines 53 – 64), and the response packet specifying a data packet also transmitted on the virtual channel (see col. 2 line 66 – col. 3 line 3).

At the time the invention was made it would have been obvious to one of ordinary skill in the art to include the response buffer allocation elements and scheme, as disclosed by Scott, in the computer system as disclosed by Birrittella.

One of ordinary skill in the art would have been motivated to do this in order to avoid deadlock, as stated in Scott col. 8, line 17.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew M Waxman whose telephone number is (703) 305-8086. The examiner can normally be reached on 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (703) 305-4378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

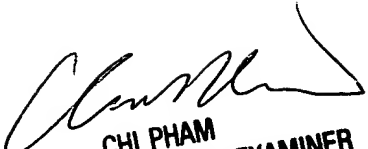
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Andrew M. Waxman


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